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9 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

10 BONNIE LOPEZ, individually as sister and for
11 the Estate of MELODY MORGAN, deceased;
12 COLLEEN LACKEY, individually as mother of
MELODY MORGAN, deceased,

13 Plaintiffs,

14 vs.

15 THE STATE OF NEVADA ex rel. NEVADA
16 DEPARTMENT OF CORRECTIONS,
17 WARDEN DWIGHT NEVEN, individually;
18 GARY PICCININI, ASSISTANT WARDEN,
19 individually; BRYAN SHIELDS, individually;
20 OFFICER JOEL TYNING, individually;
21 OFFICER KARISSA CURRIER; OFFICER
JAZMINA FLANIGAN; NURSE JANE
BALAO; NURSE BRIGIDO BAYAWA;
22 NURSE LEILANI FLORES; NURSE
ROSEMARY MCCRARY; NURSE MA LITA
23 SASTRILLO; NURSE CHRIS SHIELDS;
DOES I through X; and ROE ENTITIES I
through X, inclusive,

Defendants.

CASE NO. 2:21-cv-01161-JAD-BNW

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES**

(FIRST REQUEST)

24 Pursuant to LR IA 6-1, 6-2 and LR 26-4, Plaintiffs BONNIE LOPEZ, individually as
25 sister and for the estate of MELODY MORGAN, deceased; and COLLEEN LACKEY,
26 individually as mother of MELODY MORGAN, deceased, (collectively, "Morgan Family"), by
27 and through their counsel, Paola M. Armeni, Esq., and Jeremy J. Thompson of the law firm of
28 Clark Hill, PLLC; and Defendants Brigido Bayawa, Leilani Flores, and Ma Lita Sastrillo, by and

1 through their counsel, Phillip N. Smith, Jr., Esq. and Marissa T. Fehrman, Esq., of the law firm
 2 of Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC; Defendant Jazmina Flanigan, by and
 3 through her counsel, Daniel R. McNutt, Esq. and Matthew C. Wolf, Esq., of the law firm McNutt
 4 Law Firm, P.C.; Defendants Jane Balao, Rosemarie McCrary, Gary Piccinini, Bryan Shields,
 5 Dwight Neven, Chris Shields, and Nevada Department of Corrections (“NDOC”), by and
 6 through their counsel, Aaron Ford, Esq., Akke Levin, Esq., and Katlyn M. Brady, Esq., of the
 7 Office of the Attorney General of the State of Nevada; and Defendant Karissa Currier, by and
 8 through her counsel, Cameron Vandenberg, Esq., of the Office of the Attorney General of the
 9 State of Nevada, (collectively, “Defendants”), hereby stipulate to extend the current discovery
 10 deadlines for a period of sixty (60) days.

11 This is the first request for an extension of the Discovery Plan and Scheduling Order that
 12 was entered in this matter on August 6, 2021, which results from the following: there are
 13 multiple parties in this matter, the parties are in the process of propounding and responding to
 14 written discovery, both parties will need to conduct additional written discovery as well as take
 15 depositions prior to expert witnesses being retained and disclosed. The current expert deadline is
 16 September 16, 2021. Neither party can meet this current deadline.

17 Based on the foregoing, the parties have shown good cause to extend the current
 18 deadlines and request that the Court enter an Order with new deadlines as requested below.

19 **A. DISCOVERY COMPLETED TO DATE**

20 The following discovery has been completed:

21 Plaintiffs and Defendants have served their initial disclosures.

22 Defendants NDOC, Neven, Shields, and Piccinini served, and Plaintiffs responded to written
 23 discovery.

24 Defendant Flanigan propounded written discovery on Defendant Karissa Currier.

25 Defendant Flanigan propounded written discovery on Plaintiff’s Lackey and Lopez.

26 Defendant Flanigan propounded written discovery on Defendant Bryan Shields.

27 **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

28 The parties will continue to propound written discovery on other named parties and both

1 Plaintiffs and Defendants will likely serve subpoenas as needed. All parties will seek to schedule
2 depositions of the parties, witnesses and potential experts.

3 **C. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY:**

4 Discovery Cut-Off Deadline

5 The discovery cut-off deadline shall be extended for approximately 60 days from
6 December 15, 2021 to **February 14, 2022**.

7 2. Amendments to Pleadings and Adding Parties

8 The parties shall file motions to amend the pleading and add parties 90 days before the
9 extended discovery cut-off date, and therefore, not later than **November 16, 2021**.

10 3. Expert Disclosures

11 The parties shall disclose opening expert reports 90 days before the extended discovery
12 cut-off date, and therefore, not later than **November 16, 2021**.

13 The parties shall disclose rebuttal expert reports 60 days after initial expert report(s), and
14 therefore, not later than **January 14 , 2021**.

15 4. Dispositive Motions Deadline

16 The parties shall file dispositive motions 30 days after the extended discovery cut-off
17 date of February 14, 2022, and therefore, not later than **March 16, 2022**.

18 5. Pretrial Order

19 The parties shall file the joint pretrial order **April 15, 2022** or approximately 30 days
20 after resolution of dispositive motions.

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1 DATED this 26th day of August 2021.

2 CLARK HILL, PLLC
3 /s/ Paola M. Armeni
4 PAOLA M. ARMENI, ESQ.
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8 Dated this 26th day of August 2021.

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14 *Attorney for Karissa Currier*
DATED this 26th day of August 2021.

15 MCNUTT LAW FIRM, P.C.
16 /s/ Daniel R. McNutt
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17 Nevada Bar No. 7815
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19 Las Vegas, Nevada 89101
Attorneys for Officer Jazmina Flanigan

DATED this 26th day of August 2021.

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& DIAL, LLC
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DATED this 26th day of August 2021.

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*Attorneys for Defendants Gary Piccinini,
Bryan Shields, Dwight Neven, Jane Balao,
Rosemarie McCrary, Chris Shields,
and Nevada Department of Corrections*

21 **IT IS SO ORDERED.**

23 Dated this _____ day of August 2021.

25 _____
UNITED STATES MAGISTRATE JUDGE